

CAS 22/5

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BANK OF AMERICA CORPORATION,

Plaintiff,

- against -

ABN AMRO BANK N.V. and ABN AMRO
HOLDING N.V.,

Defendants.
----- x

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07 CV 3578 (PKC)
STIPULATION AND ORDER

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WHEREAS, Plaintiff Bank of America Corporation commenced this action on May 4, 2007;

WHEREAS, the parties thereafter stipulated that Defendants would have until June 29, 2007 to answer or otherwise respond to the Complaint and the Court "so ordered" the parties' stipulation on May 24, 2007;

WHEREAS, the Court set the Initial Pretrial Conference in this action for June 15, 2007;

WHEREAS, by letter dated June 8, 2007, the parties jointly requested that, given that the decision of the Netherlands Supreme Court in related litigation was expected to be issued by mid-July 2007, the Initial Pretrial Conference be postponed until the week of July 23, 2007; and

WHEREAS, acting upon the parties' joint request, on June 11, 2007, the Court rescheduled the Initial Pretrial Conference for July 27, 2007 at 2:15 p.m.;

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned,
that:

1. Plaintiff may amend or supplement the Complaint within 20 days of the issuance of the opinion of the Netherlands Supreme Court in the related litigation.
2. The time for Defendants to answer or move with respect to the Complaint is extended until the later of August 10, 2007 or 20 days after the service of Plaintiff's Amended and Supplemental Complaint, if any.
3. These extensions of time are without prejudice to Plaintiff's right to seek injunctive or other interim relief prior to Defendants' filing of their answer or motion with respect to the operative complaint in this action. Defendants reserve all of their rights to oppose any such request for injunctive or other interim relief except on the basis that they have not yet filed their answer or motion with respect to the operative complaint.

Dated: New York, New York
June 26 2007

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SO ORDERED:

Kevin Castel
P. Kevin Castel, U.S.D.J.
6-27-07